

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 12-22 are pending in the present application. Claims 12, 14 and 17-19 have been amended by the present amendment.

In the outstanding Office Action, the specification was objected to; the drawing was objected to; Claims 12-14 were rejected under 35 U.S.C. § 102(b) as anticipated by Trask; Claims 15 and 22 were rejected under 35 U.S.C. § 103(a) as unpatentable over Trask in view of Peruzzi et al.; Claims 16 and 19-21 were rejected under 35 U.S.C. § 103(a) as unpatentable over Trask in view of Augustin; and Claims 17 and 18 were indicated as allowed if rewritten in independent form.

Applicant thanks the Examiner for the indication of allowable subject matter.

Further, regarding the objection to the drawing, Figure 1 has been labeled "Prior Art" as suggested by the Examiner. Replacement drawings are included. Accordingly, it is respectfully requested the objection to the drawing be withdrawn.

In addition, regarding the objection to the specification, the specification has been amended in light of the comments noted in the outstanding Office Action to include the proper headings. Accordingly, it is respectfully requested this objection also be withdrawn.

Claims 12-14 stand rejected under 35 U.S.C. § 102(b) as anticipated by Trask. This rejection is respectfully traversed.

Amended Claim 12 is directed to a delivery valve device for a refrigerant compressor that includes a valve plate pierced with at least one fluid delivery passage, at least one delivery valve closing said at least one fluid delivery passage on a downstream side in a direction of delivery of the fluid, and secured, at one of its ends, to the valve plate by first fixing means, and at least one delivery valve stop, wherein said at least one delivery valve is

clamped at its other end, in almost permanent sliding contact with the valve plate by a spring secured to the valve plate by second fixing means.

In non-limiting examples, Figures 2 and 6 illustrate a delivery valve device for a refrigerant compressor including a valve plate 21 pierced with at least one fluid delivery passage 27, at least one delivery valve 22 closing said at least one fluid delivery passage 27 on a downstream side in a direction of delivery of the fluid, and secured, at one of its ends, to the valve plate 21 by first fixing means 26, and at least one delivery valve stop 24. Further, the at least one delivery valve 22 is clamped at its other end, in almost permanent sliding contact with the valve plate 21 by a spring 23 secured to the valve plate 21 by second fixing means 26.

According to the claimed invention, a delivery valve is able to slide and not to lift off of a valve plate, avoids bounce and flutter, thus reducing the noise level (see specification, page 3, lines 7-10).

On the contrary, Trask discloses the first damping flapper 19, the second damping flapper 22 and the underface of cylinder plate 13 to hold the free end of the valve 16 in sliding contact with valve plate 9 (see column 3, lines 18-28, lines 40-57 and Figure 2. The valve 16 is not clamped, but rather the valve 16 is pushed down and held to slide contact with the valve plate 9 by the workings of the flapper 19, 22 and the underface of plate 13. As such, the Trask device is at least less efficient in reducing the noise level.

Accordingly, it is respectfully submitted independent Claim 12 and each of the claims depending therefrom are allowable.

Claims 15 and 22 stand rejected under 35 U.S.C. § 103(a) as unpatentable over Trask and Peruzzi et al. This rejection is respectfully traversed.

Claims 15 and 22 depend on Claim 12, which as discussed above is believed to be allowable. Accordingly, it is respectfully requested this rejection also be withdrawn.


Claims 16 and 19-21 stand rejected under 35 U.S.C. § 103(a) as unpatentable over
Trask and Augustin.

Claims 16 and 19-21 depend on Claim 12, which as discussed above is believed to be allowable. Accordingly, it is respectfully requested this rejection also be withdrawn.

Consequently, in light of the above discussion and in view of the present amendment, the present application is believed to be in condition for allowance and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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